

### REMARKS

Claims 1-9 are pending in the present application. Claims 1 and 6 are independent. Claims 1-9 are rejected.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter in claims 1 and 6.

By the present amendment, claims 1 and 6 have been changed to correct for the improper antecedent basis. Accordingly, these changes should remove the Examiner's objection to the specification.

Claim 6 was rejected under 35 U.S.C. 102(b) as being anticipated by Dounies (U.S. Patent No. 5,343,509).

By this amendment, claim 6 has been changed to particularly point out that the digital camera includes a transceiver which transmits at least one stored image via radio frequency transmission. The Dounies reference teaches transmission via wired telephone lines. Dounies neither discloses nor suggests transmitting a stored image via radio frequency transmission, as set forth in amended claim 6. Accordingly, amended claim 6 is believed to be patentable over Dounies.

Claims 7-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dounies in view of Saito (U.S. Patent No. 5,724,155).

Claims 7-9 depend on amended claim 6. Accordingly, claims 7-9 are believed to be patentable over the prior art at least because of their dependence upon amended claim 6.

Claims 1-3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Reece et al. (U.S. Patent No. 5,893,037) in view of Dounies '509.

Applicants respectively traverse this rejection. The present invention and the primary reference Reece et al. were, at the time the invention of the present application was made, commonly owned by the Eastman Kodak Company.

As such, and in view of 35 U.S.C. §103(c) as amended by the American Inventor's Protection Act (AIPA) (enacted November 29, 1999), Reece et al., which is a 102(e) reference, does not qualify as prior art in obviousness rejections under 35 U.S.C. §103 in new or continuing applications. The present

application is a divisional application filed on July 27, 2000. The U.S.P.T.O. will recognize the present application for the purposes of 35 U.S.C. §103, as one which was filed after November 29, 1999 and which is thus subject to the new statute. Accordingly, Reeley et al. should be removed as prior art in this rejection.

Therefore, since Reeley et al. is removed as a prior art reference, the rejection of claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over the combination of Reeley et al. and Dounies must therefore be withdrawn by the Examiner.

Claims 4-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reeley et al. in view of Dounies as applied to claims discussed above, and further in view of Saito.

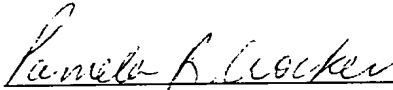
Applicants respectively traverse this rejection. Since Reeley et al. is removed as a prior art reference, as previously described, the rejection of claims 4-5 under 35 U.S.C. §103(a) as being unpatentable over the combination of Reeley et al., Dounies, and Saito must therefore be withdrawn by the Examiner.

If there are any formal matters remaining after this response, Applicants' attorney would appreciate a telephone call to attend to these matters.

In view of the foregoing, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version With Markings To Show Changes Made"**.

Respectfully submitted,

  
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**Version With Markings To Show Changes Made**

**In the Claims:**

Claim 1 has been amended as set forth below.

1. (Once Amended) A method for transmitting digital images from a telephone/camera unit to a selected receiver, comprising the steps of:

- (a) providing a handheld telephone/camera unit including:
  - (i) an image sensor for capturing one or more images;
  - (ii) a memory for storing at least one captured image and at least one telephone number;
  - (iii) a telephone keypad; and
  - (iv) a transceiver for transmitting via radio frequency transmission, at least one stored image;
- (b) entering a telephone number of a selected receiver using the keypad and storing the entered telephone number in the memory; and
- (c) programming the handheld telephone/camera unit so that in response to a user actuating an image capture switch, [automatically] performing the steps of:
  - (i) using the image sensor to capture at least one still image;
  - (ii) storing the at least one captured still image in the memory;
  - (iii) dialing the stored telephone number to establish a connection between the transceiver of the telephone/camera unit and the selected receiver; and
  - (iv) transmitting at least one stored image to the selected receiver.

Claim 6 has been amended as set forth below:

6. (Once Amended) A method for transmitting digital images from a digital camera to a selected receiver, comprising the steps of:
- (a) providing a digital camera including:

(i) an image sensor for capturing one or more images;  
(ii) a memory for storing at least one captured image  
and at least one telephone number; and

(iii) a transceiver for transmitting via radio frequency transmission, at least one stored image; and

(b) programming the digital camera so that in response to a user actuating an image capture switch, [automatically] performing the steps of:

(i) using the image sensor to capture at least one still image;

(ii) storing the at least one captured still image in the memory;

(iii) dialing the stored telephone number to establish a connection between the transceiver of the digital camera and the selected receiver;  
and

(iv) transmitting at least one stored image to the selected receiver.